

ORDINANCE NO. 2023-02

AN ORDINANCE AMENDING SECTION 8-21 OF THE CITY CODE OF THE CITY OF ST. GEORGE REGARDING THE ISSUANCE OF PERMITS FOR THE CONSTRUCTION OF BUILDINGS AND STRUCTURES IN THE CITY OF ST. GEORGE, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ST. GEORGE, KANSAS:

SECTION 1. The following parts of Section 8-21 of the St. George Code of ordinances are amended as follows:

**105.2 Work exempt from permits or permit fees.** Exemptions from permit requirements or permit fees shall not be deemed to grant authority for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. If no fee exception or permit exception is specifically listed herein, any person performing work shall obtain a permit and pay the required fee.

Permits shall be required for the following, but without payment of a permit fee:

1. One story detached accessory structures provided the floor area does not exceed 100 square feet.
2. Detached pergolas and other detached structures which do not exceed 100 square feet, are entirely open and do not have solid roofs.
3. Retaining walls that are not over 3 feet in height measured from grade on the low side to the top of the wall, unless supporting a surcharge or impounding class I, II or IIIA liquids.
4. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2: 1.
5. Sidewalks, driveways and non-enclosed or covered decks not more than 30 inches above adjacent grade at any point, and not over any story or basement below and are not part of an accessory route.
6. Prefabricated swimming pools accessory to a group R-3 occupancy that are less than 24 inches deep, do not exceed 5,000 gallons-and are installed entirely above ground.
7. Changes of occupancy to an equal or lesser hazard category as denoted in both Table 912.4 and Table 912.5 of the 2009 International Existing Building Code where no other work requiring a permit is being done.

Neither permits nor permit fees shall be required for the following:

1. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
2. Temporary motion picture, television and theater stage sets and scenery.
3. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
4. Swings and other playground equipment.

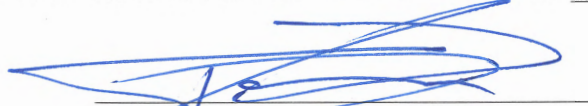
5. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
6. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.

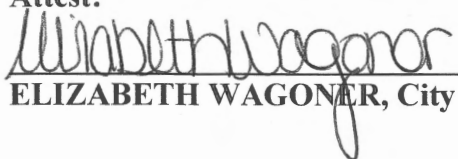
**109.2 Schedule of Fees.** On buildings or structures requiring a permit with a fee, other than properties owned by the city, a fee for each permit shall be paid as required by the City and established by a Resolution of the City. Each inspection which is not deemed ready for inspection at the scheduled time shall be considered a failed inspection and subject to re-inspection. Any reinspection fee shall be paid within 10 calendar days of the date of the inspection causing the fee, and prior to a certificate of occupancy being issued for that project. Subsequent inspections for that permitted project shall not be conducted until all past due re-inspection fees have been paid. The Building Official shall have the authority to waive re-inspection fees as deemed necessary.

SECTION 2. All Code sections and Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 13<sup>m</sup> day of April 2023.

  
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TIM PRALLE, Mayor

Attest:  
  
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ELIZABETH WAGONER, City Clerk

